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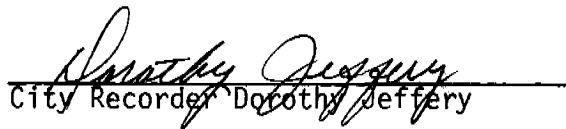
City Manager Jim Allan: The proposed ordinance would allow for condominium units to abut one another, which is contrary to the present ordinance, but would still require the same lot requirements for buildings; e.g., sufficient common areas to the front, side, and rear to meet the requirements of the yard in which the project is to be located.

The Council discussed the proposed ordinance and its ratifications.

Because there was no one from the general public in attendance, no comment for or against the proposed ordinance was voiced.

Mayor Nielson adjourned the meeting at 6:58 p.m.

  
Mayor Grant S. Nielson

  
City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD MARCH 5, 1984

PRESENT

Grant S. Nielson  
Don Dafoe  
Neil Dutson  
Craig Greathouse  
Kjell Jenkins  
Ruth Hansen

Mayor  
Council Member  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan  
Warren Peterson  
Dorothy Jeffery  
Neil Forster  
Sherri Terrell  
Rita Byrd  
Ron Thomas  
Steve Pace  
Bruce Miller  
Greg Nielson  
Walter Winsor

City Manager  
City Attorney  
City Recorder  
Public Works Superintendent  
City Secretary  
City Billing Clerk  
City Resident  
Steve Pace Realty  
Computer Consultant  
Robison Hill & Co.  
City Resident

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Edward Winsor  
Mark Winsor  
Victoria Winsor  
Jim Fletcher

Delta First Ward Scout Troop  
Delta First Ward Scout Troop  
City Resident  
KNAK Radio

Mayor Nielson called the meeting to order promptly at 7:00 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette, the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

#### MINUTES

Both City Attorney Peterson and City Manager Allan asked for the minutes of the February 27, 1984, regular City Council meeting to be tabled to allow them sufficient time to make corrections to the proposed minutes. Council Member Ruth Hansen MOVED to table the minutes until the next City Council Meeting. Council Member Craig Greathouse SECONDED the motion, which carried unanimously.

#### ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery presented the list of accounts payable as follows:

CONTEL	Fire	56.58
CONTEL	Police	79.48
CONTEL	Fire	.18
CONTEL	City Bldg	35.56
CONTEL	City Office	3.46
DUWILL	Council	Ord 84-70/Public Hearing 87.00
QUALITY HDWR	Bldg Insp	Spotlight 28.99
QUALITY MKRT	Parks & Rec	Groceries for Youth Club 11.90
WM CO-OP	Shop	Acetylene 22.91
CLASSIC SALES	City Bldg	Diskets for Word Proc 27.75
GULF STATE DIS	Police	Flashlights/chargers 683.65
HOLLAND EQUIP	Wtr/Sw	Grader blades/supplies 788.76
LAKE PHILGAS	Shop	Propane 224.10
LAWCO	Police	Spotlights/Supplies 1,185.90
RIDING FORD	Police	Repair on Vehicle #11 69.70
ROCKING "R"	City Bldg	Heating oil 168.81
ROCKING "R"	PD/Shop/Offc	Heating Oil/Gasoline 1,021.99
SEVIER SCHOOL	Administrator	Trays 26.72
SOUTHERN UTAH	Police	Clean/Repair Copier 322.15
STANDARD OFFC	City Bldg	Supplies 6.18
TRIGON	City Bldg	Cleaning Supplies 49.80
WYCOFF	City Bldg	Freight charges 12.77
RIDING FORD	Sewer	Inspection 5.25
CHURCH LUMBER	Streets	Shovel handles 21.87

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CENTURY EQUIP	Streets	Oil filter for backhoe	15.58
QUALITY HRD	Streets	Keys	6.86
QUALITY IGA	Streets	Salt	3.69
QUALITY IGA	Streets	Detergent	4.80
QUALITY HRD	Water	Weather Strip	5.00
LOSEE LUMBER	Water	Faucet handle/keys	5.05
LYNN'S TIRES	Water	Tube	10.00
BAKER PHARMACY	Parks & Rec	Mark-a-lot	1.98
QUALITY HRDW	Parks & Rec	Tape	1.58
QUALITY HRDW	Parks & Rec	Glue	3.78
QUALITY IGA	Parks & Rec	Lettering	1.69
QUALITY IGA	Parks & Rec	Groceries	6.76
FABRIC SHOP	Parks & Rec	Yarn	2.18
DOVES	Parks & Rec	Masking Tape	1.96
CONOCO	Police	Wiper Arm	5.00
THE EAGLE CO	Police	Velcro cuff	21.82
SEVIER SCHOOL	Police	Wall Calendars	6.66
GULF STATES	Police	Speedloaders	11.02
SOUTHERN UTAH	Police	Envelopes	13.95
		<hr/>	
		TOTAL	5,080.82

Council Member Neil Dutson MOVED to pay current bills as presented, except the letter trays for the City Manager, which will be returned. Council Member Kjell Jenkins SECONDED the motion, which carried unanimously.

City Attorney Warren Peterson recommended a consent calendar be prepared for the bills and only questionable items be brought up at City Council meetings. This would save time during meetings. The Council concurred with this recommendation.

#### UTAH POWER & LIGHT BILL FOR WATER TANK - \$557.29

City Recorder Dorothy Jeffery stated she had talked to Neil Forster and John Quick, and they both feel like the Utah Power & Light bill at the new water pumping station is legitimate. The Council directed City Manager Jim Allan to check with John Quick to determine if the testing was the cause of the high power bill and if he felt the contractor should pay for it. The Council directed City Attorney Warren Peterson to review the contract on the water tank and determine who is responsible for the electrical power for the initial testing of this facility.

#### RESCHEDULE PUBLIC HEARING FOR ZONE CHANGE REQUEST

City Attorney Peterson asked the Council to reschedule the public hearing for zone change request in Block 49, Lot 1, to a later date allowing the legal time for the notice to be published. Council Member Ruth Hansen MOVED to set a Public Hearing date for March 26, 1984, at 6:30 p.m. The Public Hearing would be for the purpose of receiving public comment regarding a zone change at Block 49, Lot 1 Plat A, from CB to R-4C. Council Member Don Dafoe SECONDED the motion, which carried unanimously.

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CHANGE ORDER #1 ON DELTA CITY MUNICIPAL BUILDING - DANA, LARSON, ROUBAL AND ASSOCIATES FOR \$650

City Manager Allan stated he had forwarded to the Delta City Municipal Building Architect the Council's decision regarding additional cost for ductwork caused by the architects design error. He stated he had received a response from Randy Green regarding Change Order #1 on the Delta City Municipal Building. The letter stated that the City was below the projected rate of additional items in the City Building and that the owner usually pays for items not initially in the contract through a change order. Mr. Green also pointed out in his letter that the change order price is for the additional materials and that Dana, Larson, Roubal and Associates are absorbing the design costs. The letter reviewed additional time spent by the architectural team in bringing the new City Manager up to date on the building and on possible changes. The architects have exceeded the budget on time, so any additional time that is spent is time they have donated to the City. Therefore, the architect requested that the City pay the additional cost.

City Manager Jim Allan stated for every change a 10% fee is charged to the City for the design work. He asked the Council if they were willing to pay for the additional value of the work, and, if so, what the additional value would be.

The Council concurred the mistake was an error in the design, therefore, they felt that the design engineer should be responsible for the correction. The Council directed City Manager Jim Allan to contact Wilford Jenson, General Contractor, to determine the additional cost of the duct work authorized in Change Order #1.

AUDIT REPORT

City Manager Jim Allan reviewed the audit report. The Council discussed the report and Mr. Greg Nielson, Robison Hill & Company Auditor, answered questions regarding the audit report. Each department budget was reviewed and suggestions were made for possible changes.

OFF-SITE AGREEMENT FOR HOMES BUILT ON UNIMPROVED LOTS

Public Works Superintendent Neil Forster reviewed with the Council an agreement used by the City that enables property owners to build on unimproved lots, not requiring the improvements to be made until the grades are determined for the drainage, curb, gutter and streets. This agreement insures property owners will join an improvement district, have the City make the improvements at the property owners expense, or make the improvements themselves, when the grades are determined. The present subdivision ordinance requires the lots to be improved unless waived by the Council for specified reasons.

Mayor Nielson stated this is the first agreement that has been presented since the new Council was elected. Mayor Nielson stated in the past the Council had given him the authority to sign the agreements without the

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Council's review, and Public Works Superintendent Forster would issue the agreement.

The Council discussed the agreement and lot improvement requirements. Councilman Don Dafoe MOVED to authorize the Mayor to sign the agreements for residential lots without the Council's review. Council Member Ruth Hansen SECONDED the motion. The motion carried unanimously.

RON THOMAS: REQUEST REGARDING SEWER HOOK-UP CONNECTION FEE FOR HIS MOTHER'S HOME

Mr. Ron Thomas stated his mother was having trouble with her septic tank because of the high water table. The tank has been pumped two times in the last two weeks. He asked the Council if they could make special provisions on the sewer hook-up fee, because his mother was 79 years old and her only income was her Social Security.

Public Works Superintendent Forster stated there would be no problem to connect to the sewer. The closest line is at the east of her home, but it is deep.

Council Member Dafoe suggested an arrangement be made to allow Mrs. Thomas to pay part of the connection fee as a down payment and a small additional payment every month. When the time comes that Mrs. Thomas is no longer at this residence, the new owner pay the remaining fee.

Mr. Thomas stated this would be feasible because he owned the home.

The Council concurred that no special provisions could be made because Ron Thomas is the property owner.

Mayor Grant Nielson stated that he would loan sufficient money from his personal funds to allow Mrs. Thomas to connect to the sewer.

RECLASSIFICATION OF PARKS & RECREATION DIRECTOR - LAURA BURNHAM

City Manager Jim Allan stated that Parks & Recreation Director Laura Burnham had completed her 3 month probation period. He stated that he had given her a good rating on her evaluation. Mr. Allan recommended the Council give Miss Burnham a step grade increase from a 20-A to a 20-B and place her on permanent status. Council Member Don Dafoe MOVED to place Laura Burnham on permanent status with benefits and give her a step grade increase to a 20-B. Council Member Kjell Jenkins SECONDED the motion, which passed unanimously.

RECLASSIFICATION OF POLICE OFFICER SCOTT LAKEY

City Manager Jim Allan stated Scott Lakey is a Ptroلمان II, and has completed his 6 month probation period. Chief Cooper evaluated Mr. Lakey and had given him a good rating. City Manager Allan recommended that Scott Lakey be placed on permanent status with a step grade increase from a 12-B to a 12-C. Councilman Neil Dutson MOVED to place Officer Scott Lakey on

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permanent status with a step grade increase to 12-C and receive the City benefits. Council Member Kjell Jenkins SECONDED the motion, which carried unanimously.

PROPOSED ORDINANCE PROVIDING WAIVER OF YARD REQUIREMENTS FOR CONDOMINIUM UNITS

City Attorney Warren Peterson stated that since there were no comments received at the Public Hearing regarding the proposed ordinance providing a waiver of yard requirements for condominium units, the ordinance could be considered by the Council for adoption without further revision. He stated the proposed ordinance only refers to condominiums not to townhouses, but townhouses are classified as condominiums under Utah law, so no separate definitions were needed.

The Council discussed the proposed ordinance. Council Member Craig Greathouse MOVED to adopt Ordinance #84-71 entitled:

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF DELTA, UTAH (ORDINANCE NO. 81-26), AS AMENDED, TO PROVIDE FOR WAIVER OF YARD REQUIREMENTS FOR APPROVED CONDOMINIUM UNITS, TO PROVIDE AN EFFECTIVE DATE AND AMENDING CONFLICTING ORDINANCES.

Council Member Neil Dutson SECONDED the motion, and Mayor Nielson asked for a roll call vote, which was as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the voting, Mayor Grant Nielson signed Ordinance No. 84-71, and it was attested by City Recorder Dorothy Jeffery.

COMPUTER CONTRACT CONSIDERATION

City Manager Jim Allan introduced Bruce Miller, who was hired by the City as a computer consultant to determine the computer needs of the City.

Mr. Bruce Miller distributed copies of his proposal and reviewed it with the Council. A summary of his recommendations are as follows: (1) Purchase an IBM System 36 with 256K of memory and 60MB of disk storage, (2) Purchase three display stations and one printer, (3) Deter purchase of the personal computers for six months after installation of the system, (4) Use a "Master Address File, (5) Obtain software from other cities using the SYS/36 or SYS/34 and have it modified to Delta City specifications by Contract Programmers. Some software will have to be specially designed and written by Delta City and its contract programmers, (6) A three to five year Data Processing Master Plan defining, prioritizing and scheduling the Data

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Processing needs of Delta City should be developed. It should be periodically reviewed and revised as necessary, and (7) Allow enough funding for training, implementation, and supplies. The amount of hard disk memory needed for the system was also discussed.

City Manager Jim Allan reviewed the systems that have been proposed to the City from various companies. The Council discussed the different systems. Mr. Allan described the funding to the Council.

Councilman Craig Greathouse MOVED to authorize Mayor Nielson to sign the installment purchase agreement for the system 36 with 30 megabytes of hard disk storage, one personal computer, three terminals, one printer and operating system software. Councilman Don Dafoe SECONDED the motion, which carried unanimously.

#### COMMUNITY DEVELOPMENT BLOCK GRANT MONIES

City Manager Jim Allan stated the Community Development Block Grant Monies to be received within Millard County this year will be approximately \$60,000. He stated Delta City would receive \$20,000 at the maximum. Mr. Allan explained the qualifications for the grant. The Council discussed possibilities for the grant monies. Mayor Nielson suggested covering the open drainage ditch at 200 South Street. City Manager Jim Allan will bring this back to the Council after more information is received.

#### REPORT ON STATUS OF WATER USAGE DEPOSIT

Councilman Kjell Jenkins stated he had checked with Utah Power & Light and Contel regarding utility deposits. He stated that both of these companies do not like to take deposits and only take deposits from high risk or non-accrued credit accounts. The Council discussed the City's required water deposit and concurred that it was necessary because the classification of users required to make a deposit represent the most significant losses from uncollected fees.

#### PROPOSED ORDINANCE MODIFYING THE WATER DEDICATION REQUIREMENT FOR MILLARD SCHOOL DISTRICT

City Attorney Warren Peterson reviewed the proposed ordinance requested by the Millard School District to reduce the water dedication requirements for th Delta South Elementary School and stated City Engineer John Quick had approved the reduced water dedication requirement. This would change the annexation requirements to allow the School District to dedicate 23 acre feet to the City as opposed to the 30 acre feet required by the present ordinance.

Councilman Kjell Jenkins MOVED to adopt Ordinance No. 84-72 entitled:

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AN ORDINANCE OF THE CITY OF DELTA, UTAH AMENDING THE ORDINANCE PROVIDING FOR ANNEXATION OF THE DELTA SOUTH ELEMENTARY SCHOOL SITE (ORDINANCE NO. 82-36) BY REDUCING THE QUANTITY OF WATER REQUIRED TO BE DEDICATED BY MILLARD COUNTY SCHOOL DISTRICT TO DELTA CITY UNDER SAID ORDINANCE NO. 82-36

Council Member Ruth Hansen SECONDED the motion, Mayor Nielson then asked for a roll call vote. The voting went as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the voting Mayor Nielson signed Ordinance #84-73 and City Recorder Dorothy Jeffery attested it.

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Council Member Ruth Hansen SECONDED the motion, Mayor Nielson then asked for a roll call vote. The voting went as follows:

Don Dafoe	Yes
Neil Dutson	Yes
Craig Greathouse	Yes
Kjell Jenkins	Yes
Ruth Hansen	Yes

Following the voting Mayor Nielson signed Ordinance #84-73 and City Recorder Dorothy Jeffery attested it.

#### MILLARD COUNTY SALES TAX REIMBURSEMENT

City Attorney Warren Peterson stated the City Negotiating Team and the County Negotiating Team met to discuss the possible solutions to reimbursing Millard County for the sales tax erroneously paid to Delta City.

City Attorney Warren Peterson stated the Utah Tax Commission had originally calculated that the City should repay \$78,000, but since then it has been determined that approximately \$8,000 was in fact Delta City's, and an additional adjustment needs to be made for Losee Lumber, Delta Sports Center and perhaps Chevron U.S.A. Chevron U.S.A. and Sperry Oil have their office in Delta City, but their fuel storage tanks are located in the County.

City Attorney Peterson stated that the negotiation teams had agreed that the City could repay the County in ten calendar quarters as sales taxes for those quarters are received, beginning with the third calendar quarter of 1984. He recommended for the County to allow the City to repay the County directly as opposed to having the State hold it from the City funds. Mr. Peterson asked for the Council's direction.

Council Member Don Dafoe MOVED to accept the basic concept for Delta City to reimburse Millard County for sales taxes as follows: (1) Determine adjustment for Losee Lumber, Delta Sports Center and Chevron U.S.A., (2) Make payment over ten calendar quarter, (3) The first payment will be from revenues for the quarter of July 1984 to September 1984, and (4) Allow Delta City to make payments directly. Council Member Ruth Hansen SECONDED The motion which carried unanimously.

#### OTHER BUSINESS

Mayor Nielson asked City Manager Jim Allan to report on acquisition of the Delta City Municipal Building furnishings. Mr. Allan stated that IPP will pay one-half of the costs of the furnishings up to \$84,000. He stated the City has received two proposals, which are both in the \$78,000 range. City Manager Allan stated that these proposals are for a middle grade furniture. He stated that he had literature available on the furniture. The delivery date would be the middle of May if furniture is ordered within the second and third week of March. The Council concurred to take a trip and look at the proposed furnishings. Mr. Allan was asked to make arrangements for such a trip.

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Councilman Craig Greathouse asked if he could get a list of persons who are paying for the sewer, but whose properties are not connected to the sewer system. City Recorder Dorothy Jeffery stated she would get this information.

Councilman Kjell Jenkins reported that the Delta Second Ward Primary Association was planning an Activity Day for March 24, 1984, from 10:00 a.m. to noon. He asked if the Council would like them to take 10 trash cans from Main Street to be painted. The Council thought this would be a nice project. Mayor Nielson suggested that the Primary President be asked to contact Public Works Superintendent Neil Forster and inform him of their plans.

Councilman Neil Duton stated he had been confronted by the residents in the area of 350 East 350 South. They were concerned because sewer line installation had damaged the road that they had paid to be graveled and the road has not been repaired. Councilman Duton suggested that the City repair the road in any way that they could. Mayor Nielson said he would make arrangements with Neil Forster for work on the road.

Council Member Neil Duton MOVED to adjourn the meeting. Council Member Don Dafoe SECONDED the motion, which carried unanimously. The Mayor adjourned the meeting at 11:21 p.m.

  
Mayor Grant S. Nielson

  
City Recorder Dorothy Jeffery

MINUTES OF AN EMERGENCY CITY COUNCIL MEETING HELD MARCH 12, 1984

PRESENT

Grant S. Nielson  
Don Dafoe  
Neil Duton  
Craig Greathouse  
Ruth Hansen

Mayor  
Council Member  
Council Member  
Council Member  
Council Member

ABSENT

Kjell Jenkins

Council Member

OTHERS PRESENT

Jim Allan  
Dorothy Jeffery

City Manager  
City Recorder